

**EXHIBIT A**  
**STATE COURT PLEADINGS**

COURT OF COMMON PLEAS, COUNTY OF RICHLAND

2019-CP-40-05270

GLENN D. JACOBS v. SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Glenn D. Jacobs,

Plaintiff,

vs.

South Carolina Department of Mental  
Health,

Defendant.

IN THE COURT OF COMMON PLEAS  
OF THE FIFTH JUDICIAL CIRCUIT

C.A. No. 2019-CP-

**Complaint  
(Jury Trial Requested)**

The Plaintiff, Glenn D. Jacobs, complaining of the above-named Defendant and would respectfully show unto this Honorable Court:

1. This is a civil action seeking damages and equitable relief seeking damages under the Americans with Disabilities Act of 1990 et.seq, and pursuant to the case, statutory, and regulatory law prohibiting wrongful termination from employment. The State law claims of civil conspiracy and wrongful termination are also included in this action. This Court has jurisdiction under those statutes and venue is proper in Richland County, Columbia, South Carolina.
2. As to the discrimination cause of action herein, appropriate charges have been filed with the appropriate state and federal agencies, right to sue letters have been received and this action is timely.
3. That the Plaintiff is a citizen and resident of Richland County, Columbia, South Carolina.
4. That upon information and belief, Defendant South Carolina Department of Mental Health (hereinafter "the Defendant") is a state agency of the State of South Carolina that is covered under the South Carolina Tort Claims Act;
5. That the incident and allegations alleged herein occurred in Richland County, Columbia, South Carolina.

6. That the Plaintiff was employed most recently with the Defendant as a Human Services Specialist I for G. Werber Bryan Psychiatric Hospital in Columbia, South Carolina when he was terminated from employment.
7. That by way of background, the Plaintiff was employed with the Defendant since March 2, 1984, and has held several positions with the Defendant prior to the termination of his employment.
8. On or about April 12, 2016 the Plaintiff was injured on the job while working for G. Werber Psychiatric Hospital. Due to the injury, the Plaintiff was either out of work or placed on light duty for a few months by his authorized treating physician.
9. On or about August of 2017, the Defendant received notification that the Plaintiff could perform his job if the following modifications were provided by his authorized treating physician: "limited to no kneeling due to positional limitations, and limited to pulling patients during a confrontation only, unable to push greater than 70lbs occasionally."
10. Based on the aforementioned accommodations, the Director of Nursing, Ms. Donna McLane would not allow the Plaintiff to return to work.
11. Further, Ms. McLane and Ms. Shawna Martin-Lyle, DIS Employee Relations manager determined that the Plaintiff was unable to perform the essential functions of his job and terminated his employment.
12. Neither Ms. McLane nor Ms. Martin-Lyle engaged in the interactive process to determine whether the Defendant could perform the essential functions of his job and neither party took any steps to provide an accommodation to the Plaintiff so he could perform his job.
13. Nevertheless, the aforementioned agents/servants/employees of the Defendant falsely represented to the South Carolina Human Affairs Commission that they engaged in the interactive process with the Defendant when they had not in fact done so.
14. As a result of the Defendant's acts and omissions, Plaintiff suffered damages including compensatory, actual, punitive, front pay, back pay, and mental anguish.

For a First Cause of Action of Violation  
The Americans with Disabilities Act of 1990

15. Plaintiff restates and realleges every allegation stated herein above as if repeated verbatim herein.
16. The Defendant violated Title I of the Americans With Disabilities Act of 1990 by failing to provide any reasonable accommodation to the Plaintiff after learning of his disability. Further, the Defendant failed to engage in the interactive process with the Plaintiff to determine whether or not he could perform the essential functions of his job.

For a Second Cause of Action  
Conspiracy

17. The Plaintiff restates and realleges every allegation stated herein above as if repeated verbatim herein.

18. The Plaintiff was discriminated against by the Defendant through its employees Donna McLane and Ms. Shawna Martin-Lyle because of his disability.

19. Ms. McLane and Ms. Martin-Lyle conspiring to drum up these false allegations they engaged in the interactive process with the Defendant and determined that he could not perform the essential functions of his job, when that never took place. Further, Ms. McLane and Ms. Martin-Lyle conspired to have the Plaintiff terminated from his employment because he was disabled and they did not want to have to deal with or provide an accommodation for his disability.

20. The aforementioned actions by the conspirators are the actual and proximate cause of the Plaintiff's injuries and damages.

For a Third Cause of Action  
Wrongful Termination

21. Plaintiff restates and realleges every allegation stated herein above as if repeated verbatim herein.

22. The Defendant terminated the Plaintiff's employment because of his disability which is in violation of public policy and constitutes Wrongful Termination.

WHEREFORE, Plaintiff prays for judgment against the Defendant for actual damages lost wages, mental anguish, consequential, and punitive damages for the costs of this action, and for such other and further relief the Court may deem just and proper.

Respectfully Submitted,

s/Reagan Singletary  
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Columbia, South Carolina